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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

GOLDEN WEST FORECLOSURE SERVICE,)	Case No. C-14-2154-WHO
INC., a CALIFORNIA CORPORATION,)	
Plaintiff,)	STIPULATION TO CONTINUE CASE
v.)	MANAGEMENT CONFERENCE
3066 MARKET STREET, LL, et al.,)	Date: August 5, 2014
Defendants.)	Time: 2:00 p.m.

The parties stipulate as follows:

1. Defendant, the United States, removed this case from the Superior Court of California on May 9, 2014. The case concerns surplus funds received by the plaintiff as a result of a trustee's sale of real property. Competing claims to the surplus funds were received by plaintiff. As result, plaintiff filed a Complaint in Interpleader in the Superior Court and deposited funds in the amount of \$208,117.38 with the Clerk of the Superior Court.

2. Although the United States received and removed this case, it has not been served and an Answer to the Complaint is not yet due.

3. Aside from the United States (IRS), the complaint also names as parties several other creditors that may claim an interest to the funds that have been interplead and are the subject of this

1 case.

2 4. Currently, there is a case management conference scheduled for August 5, 2014. The
3 parties, through the undersigned counsel agree to continue the case management conference until
4 October 7, 2014, at 2:00 pm. The United States, on behalf of the IRS, may stipulate to remand this case
5 to the state court. For that reason, the requested continuance will allow the government to evaluate
6 remanding this case and the delay will relieve the parties of having to file papers in this court, and then
7 the state court if the case is remanded. Second, the continuance is warranted given that some of the
8 parties have not yet appeared in the matter and are not required to answer the complaint at this point.

9 5. Regarding the status of service on the defendants, prior to the removal to this court,
10 Plaintiff sent to all defendants in the case a Notice and Acknowledgment of Receipt in lieu of personal
11 service. Shortly thereafter, this case was removed to this court. No defendant answered or otherwise
12 appeared in the Superior Court. In this case, Plaintiff has served all defendants with the Waiver of the
13 Service of Summons (form AO 399). Two defendants have returned the form. Their respective
14 responses are due by September 5, 2014. Two defendants have requested to be dismissed from the case,
15 and a third is considering it. The mail sent to defendant 3066 Market Street, LLC at several different
16 addresses has been returned as undeliverable. This defendant will need to be personally served.

17 DATED: July 25, 2014

Respectfully submitted,

18 MELINDA HAAG
19 United States Attorney

20 /s/
21 THOMAS M. NEWMAN
22 Assistant United States Attorney
23 Tax Division

LAW OFFICES OF ROUSE & BAHLERT

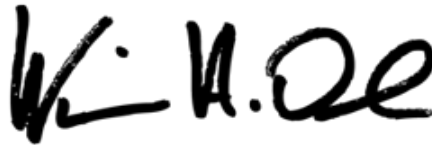
24 DATE: July 25, 2014

25 /s/ Cheryl C. Rouse
26 By: CHERYL C. ROUSE
27 Attorney for Plaintiff GOLDEN WEST
28 FORECLOSURE SERVICE, INC.

ORDER

For the reasons stated above, the Court continues the case management conference until October 7, 2014, at 2:00 pm.
IT IS SO ORDERED.

DATED: July 30, 2014

A handwritten signature in black ink, appearing to read "W. H. Orrick", written over a horizontal line.

THE HONORABLE WILLIAM H. ORRICK
United States District Judge